

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS DENNIS BERRY,

Defendant.

Case No. 1:21-cr-20442

Honorable Thomas L. Ludington  
United States District Judge

Magistrate Judge Patricia T. Morris  
United States Magistrate Judge

---

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING GUILTY  
PLEA, AND TAKING RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Thomas Dennis Berry's consent. On October 13, 2021, Judge Morris issued her Report and Recommendation, recommending that this Court accept Defendant's guilty plea. ECF No. 19.

Although the Report states that the parties could object to and seek review of the recommendations within 14 days of service, neither Plaintiff nor Defendant filed any objections. Therefore, they have waived their right to appeal Judge Morris's findings that Defendant was competent to enter a plea, and that the plea was entered knowingly, voluntarily, without coercion, and with a basis in fact. *See* FED. R. CRIM. P. 11(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Judge Morris's Report and Recommendation, ECF No. 19, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's guilty plea is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 18, is taken **UNDER ADVISEMENT**.

Dated: October 28, 2021

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge